

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF ARKANSAS
CENTRAL DIVISION

UNITED STATES OF AMERICA

PLAINTIFF

v.

CASE NO. 4:18-CR-00466-BSM

LEWIS MILES

DEFENDANT

ORDER

Lewis Miles's pro se motion to reduce his sentence [Doc. No. 876] is denied because the retroactive application of Amendment 821 to the Federal Sentencing Guidelines does not apply to his case. *See U.S.S.G. § 1.10(a)(2)*. This is true because Miles did not receive "status points." Additionally, Miles's status as a career offender keeps his criminal history category at level VI. Finally, Miles's plea agreement provides that he "waives the right to have the sentence modified pursuant to Title 18, United States Code, Section 3582(c)(2) . . ." Doc. No. 449 at 3. Because Miles knowingly and voluntarily entered into his plea agreement, he is not entitled to relief. *See United States v. Cowan*, 781 F. App'x 571, 571–72 (8th Cir. 2019) (per curiam) (affirming dismissal of a § 3582(c)(2) motion when the record established that the defendant knowingly and voluntarily entered the plea agreement).

IT IS SO ORDERED this 25th day of March, 2024.



UNITED STATES DISTRICT JUDGE